



Board of Zoning Appeals

240 Columbus Ave
Sandusky, Ohio 44870
419.627.5715
www.cityofsandusky.com

Agenda
April 21, 2022
4:30 pm
Virtual Meeting via Microsoft Teams and
Live Streamed on www.Youtube.com/CityofSanduskyOH

1. Meeting called to order – Roll Call
2. Review of minutes from the March 17, 2022 meeting
3. Swear in audience and staff members that will offer testimony on any agenda items
4. Adjudication hearing to consider the following:
 - 243 East Market Street Use Variance
 - 3708 Venice Road Area Variance
5. Other Business
6. Adjournment

Next Meeting: May 19, 2022

Please notify staff at least 2 days in advance of the meeting if you cannot attend.

Board of Zoning Appeals

March 17, 2022

Minutes

Meeting called to order:

Chairman John Feick called the meeting to order at 4:30pm. The following voting members were present: Walt Matthews, Bill Semans, and Gregg Peugeot. Alec Ochs represented the Community Development Department. Sarah Chiappone represented the Law Department. City Commission liaison Dave Waddington and clerk Kristen Barone were also present.

Review of minutes from February 17, 2022 meeting:

Mr. Matthews moved to approve the minutes as submitted and Mr. Peugeot seconded. All voting members were in favor of the motion.

Swearing in of audience and staff members offering testimony on any agenda items:

Mr. Feick swore in everyone wishing to do so.

Adjudication Hearing:

1) 2001 Cleveland Rd Area Variance

The applicant is proposing to install a monument sign on the corner of Cleveland Road and Harbour Parkway. The sign will be double sided and internally illuminated. The installation will double as a photo opportunity for guests to engage with the Castaway Bay sign and to also add additional branding onto the property. The sign will be 7' 7" tall and roughly 17' 4" wide. The additional coral elements to the sign will be as tall as 10' 4" and the additional width will be roughly 24' 9". The sign is out of the right-of-way and is being placed in what is currently the parking lot. The proposed location is set back five feet from the right-of-way within the required front yard and 90 feet from the nearest freestanding sign. The variances being requested are: 1) A 10' allowance into the minimum 15' front setback and 2) A 90' allowance to the minimum 250' sign separation requirement. The first proposal was in the right-of-way and has sense been moved. Signs are not permitted in the public right-of-way without a permanent encroachment agreement. Our Public Works Department recommends avoiding this process if possible. We appreciate the applicant and owner's response to the request to move this sign out of the right-of-way. Staff feels the sign will not bring a negative impact to the surrounding properties. Staff supports granting the variance with the following condition: 1) All applicable permits are obtained through the Building Department, Engineering Department, and any other applicable agency prior to construction. Ryan Brady with Brady Signs at 1721 Hancock Street, stated that the sign is currently back 15 feet from the existing right-of-way, so if you are using the existing right-of-way, the plans are in compliance, but everyone is trying to think ahead with future road widening plans. Ryan Dilliard with Cedar Fair at 1503 Cedar Point Road, stated that with the entrance being at the corner of Cleveland Road and Harbour Parkway, having the monument sign at the proposed location will allow visitors to see from a distance that they are approaching their destination, and allow them to slow down in order to turn into the parking lot safely. Mr. Feick asked when moving the right-of-way back, will there be a boulevard there. Mr. Ochs said he is not sure, that would be a question for the Engineering Department. He said he does know that there are plans to widen the road so he would assume the sidewalk would move closer towards the right-of-way, but they did say they were okay with the proposed plans submitted by the applicant. Mr. Dilliard added that they did hire an engineer to work with city staff and go over future plans for that road to make sure that they would not be placing the monument sign in any future right-of-ways and blocking any sightlines. Mr. Feick stated that it looks like there is a telephone pole in the corner and asked if that would be moved. Mr. Ochs stated that he assumes so but again that would be a question for the Engineering Department. Dr. Seman's asked if the digital sign would remain the same. Mr. Brady stated that structurally yes, but they will be painting it to go with the new color scheme and branding. Mr. Ochs stated that staff

has reviewed and approved the other signage on the property. Dr. Semans motioned to approve the two variance requests and Mr. Peugeot seconded. All voting members were in favor of the motion.

Adjournment:

Mr. Walt moved to adjourn and Mr. Peugeot seconded. The meeting ended at 4:14pm.

APPROVED:

Kristen Barone, Clerk

John Feick, Chairman

BOARD OF ZONING APPEALS REPORT

APPLICATION FOR AN AREA VARIANCE OF USE
REGULATIONS AT 243 E. MARKET ST.
PARCEL 56-00351.000

Reference Number: PVAR22-0004

Date of Report: April 8, 2022

Report Author: Alec Ochs, Assistant Planner



City of Sandusky, Ohio Board of Zoning Appeals Report

BACKGROUND INFORMATION

Applicant/Owner: Lilly Lou Limited
243 E. Market St.
Sandusky, OH 44870

Site Location: 243 E. Market St.
Sandusky, OH 44870

Zoning: DBD – Downtown Business District

Surrounding Zoning: North: DBD – Downtown Business District
East: DBD – Downtown Business District
South: DBD – Downtown Business District
West: DBD – Downtown Business District

Surrounding Uses: Residential, Retail

Existing Use: Unknown

Proposed Use: Residential on the first floor in DBD zoning

Applicable Plans & Regulations: City of Sandusky Zoning Code Sections 1133.08(a)(1)

Variance Requested: 1) A variance to allow residential use on the first floor of a downtown building. The code currently does not permit this in the DBD - Downtown Business District.

SITE DESCRIPTION

Subject Property Outlined in Red



Zone Map Setbacks



PUD - Planned Unit Development



Parcels



TRO - Transient Rental Overlay



Zoning

- AG - Agriculture
- CA - Commercial Amusement
- CR - Commercial Recreation
- CS - Commercial Service
- DBD - Downtown Business
- GB - General Business
- GM - General MANufacturing
- LB - Local Business
- LM - Local Manufacturing
- P - Auto Parking

- PF - Public Facilities
- R1-40 - Single Family Residential
- R1-50 - Single Family Residential
- R1-60 - Single Family Residential
- R1-75 - Single Family Residential
- R2F Two-Family Residential
- RB - Roadside Business
- RMF - Multi-Family Residential
- RRB - Residential/Business
- RS - Residential Suburban





PROJECT DESCRIPTION

The site is zoned “DBD”/ Downtown Business District by the Sandusky Zoning Code which permits single, two, and multi-family residential uses above the first floor, all stores and services permitted in the General Business District, and public uses: governmental, civic, educational, religious, welfare, recreational, and transportation as set forth in section 1123.02 of the Zoning Code.

The applicant wishes to make the first floor useable as residential. The applicant has stated this would “enhance the marketability of the ground floor by permitting a prospective tenant the option of residing on the ground floor”.

DEPARTMENT OF PLANNING COMMENTS

The applicant proposes to allow a residential use on the first floor of their building in the Downtown Business District (DBD). The DBD prohibits residential use on the first floor with the intent to create active first floor storefronts in the downtown. However, this property is on the edge of what staff considers a prominent commercial storefront area.

In the application, the applicants state the following as to the necessity of the variance:

It should be noted that a residential use will create less traffic and parking needs than additional office/business space would. The proposed use would also complement the remaining residential character of this block.

RELEVANT CODE SECTIONS

CHAPTER 1133
Business Districts

1133.08 PERMITTED BUILDINGS AND USES; DOWNTOWN BUSINESS DISTRICT.

(a) Main Buildings and Uses.

(1) Single, two and multi-family residential uses above the first floor.

(2) All stores and services permitted in the General Business District;

(3) Public uses as follows and as defined in Section [1123.02](#): governmental, civic, education, religious, recreational and transportation.

(4) Transient Occupancy.

CHAPTER 1111
Board of Zoning Appeals

1111.06 POWERS OF THE BOARD OF ZONING APPEALS.

(1) No variance to the provision or requirements of the Zoning Code shall be granted by the Board unless the Board has determined that a practical difficulty does exist or will result from the literal enforcement of the Zoning Code. The factors to be considered and weighed by the Board in determining whether a property owner has proved practical difficulty include:

Section 1111.06(c)(1)

A. Whether the variance is substantial;

The variance sought in this case would allow for a residential use on the first floor of the building. It is on the outskirts of this district. This part of the code was intended for the high density downtown—and it's expansion. Given the circumstances, staff does not feel this is a substantial request.

B. Whether the essential character of the neighborhood would be substantially altered or whether adjoining property would suffer a substantial detriment as a result of the variance;

It would not appear that the residential use would substantially alter the character of the neighborhood nor substantially impact adjoining properties. The property to the east has residential on the first floor.

C. Whether the variance would adversely affect the delivery of government services (i.e. water, sewer, garbage, fire, police or other);

The proposed variance would not affect the delivery of government services, as the proposed residential use would not impact a right-of-way, utility line or block access for emergency vehicles.

D. Whether the property owner purchased the property with the knowledge of the zoning restriction;

The LLC's members' residency began before the Downtown Business Zone was enacted.

E. Whether the property owner's predicament can be resolved through some method other than a variance;

The applicant would not be able to use the first floor of the property without a variance, with the exception of rezoning the property.

F. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by the granting of the variance;

It is the opinion of the Planning staff that the residential use would be in keeping with the spirit and intent of the Zoning Code as many of the surrounding properties on this block in the zoning district have residences on the first floor.

G. Whether the property will yield a reasonable return or whether there can be a beneficial use of the property without a variance; and

In this instance, there could still be beneficial use of the property without a variance, however, the amount of residential space available would be significantly limited without it.

H. Whether the granting of the variance will be contrary to the general purpose, intent and objective of the Zoning Code or other adopted plans of the City.

It does not appear that the proposed use would be contrary to the general purpose, intent or objectives of the Zoning Code or the Comprehensive Plan.

Other conditions that the Zoning Board of Appeals must determine have been met are unnecessary hardships and include the following:

Section 1111.06(c)(2):

- A. That the variance requested arises from such a condition which is unique and which is not ordinarily found in the same zoning district and is created by the Zoning Code and not by an action or actions of the property owner or the applicant;**

Yes, the façade of the building does not end itself to typical retail use.

- B. That the granting of the variance will not adversely affect the rights of the adjacent property owners or residents;**

In Planning Staff's opinion, the first-floor residential use will not adversely affect the rights of adjacent property owners or residents.

- C. That the strict application of the Zoning Code of which the variance requested will constitute unnecessary hardship upon the property owner or the applicant;**

Staff does believe that strict application of the code would create unnecessary hardships for the applicant. Adhering to the current code would significantly restrict the marketability of the property.

That the variance desired will not adversely affect the public health, safety, morals or general welfare; and

The proposed variance would not appear to adversely affect the public health, safety, morals or general welfare of the neighborhood.

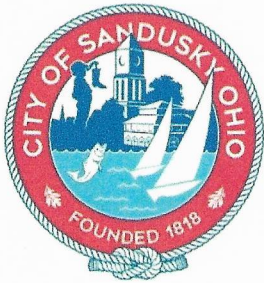
- D. That the granting of the variance desired will not be opposed to the general spirit and intent of the Zoning Ordinance.**

It does not appear that the residential use would be contrary to the general spirit, intent or objectives of the Zoning Code or the Comprehensive Plan.

CONCLUSION/RECOMMENDATION

Given the unique circumstances of this property, Planning staff supports the requested variance at 243 E. market St. (Parcel 56-00351.000) with the following conditions:

1. All necessary permits are obtained through the Building, Engineering, and Planning departments – including a transient occupancy permit, if necessary.



BOARD of ZONING APPEALS

Application for a Zoning Variance

Department of Planning

240 Columbus Ave

Sandusky, Ohio 44870

419.627.5891

www.cityofsandusky.com

Instructions to Applicants

MEETINGS: 3rd Thursday of each month at 4:30 P.M.* – City Commission Chamber, First Floor of City Hall.

**Meeting dates are subject to change. Please check www.cityofsandusky.com/BZA for an updated schedule.*

DUE DATE FOR SUBMITTALS: Applications are due by 5:00 P.M. on the date of the preceding month's Board of Zoning Appeals meeting.

WHO MUST ATTEND: The property owner, or the authorized agent of the owner, must be present at the BZA meeting for all variance requests.

APPLICATION FEE: \$100

SUBMISSION REQUIREMENTS: Please provide either a hard copy or electronic copy of the following:

- 1) Completed application
- 2) Copy of a site plan (drawn to scale and dimensioned) which shows the following items (as applicable):
 - a) Property boundary lines
 - b) Building(s) location
 - c) Driveway and parking area locations
 - d) Location of fences, walls, retaining walls
 - e) Proposed development (additions, fences, buildings, etc.)
 - f) Elevation drawings for height variances
 - g) Setbacks from lot lines for existing & proposed construction
 - h) Location of other pertinent items (signs, outdoor storage areas, gasoline pump islands, etc.)

Please note that the granting of a variance is not a Building Permit. A separate Building Permit must be issued prior to all construction.

Submit application and materials to:

City of Sandusky
Department of Planning
240 Columbus Ave.
Sandusky, OH 44870

Contact Thomas Horsman, Assistant Planner, at 419-627-5715 or thorsman@ci.sandusky.oh.us with any questions

Application for Board of Zoning Appeals

STAFF USE ONLY:

Filing Date: _____ Hearing Date: _____ Reference Number: _____

Address of Property (or parcel number) for Variance Request: 56-00351.000

Name of Property Owner: Lilly Lou Limited

Mailing Address of Property Owner: 243 E Market St

City: Sandusky State: OH Zip: 44870

Telephone #: _____ Email: _____

If same as above check here ☒

Name of Applicant: Michael Zuilhof, Authorized Agent

Mailing Address of Applicant: same

City: _____ State: _____ Zip: _____

Telephone #: (419)202-5209 Email: _____

Description of Proposal:

To enhance marketability of the ground floor by permitting a prospective tenant the option of residing on the ground floor.

Variance Requested:

Downtown Business District (DB) restricts residential uses to the upper floors. The variance requested is limited to removal of only that restriction.

Section(s) of Zoning Code:

1133.08 PERMITTED BUILDINGS AND USES; DOWNTOWN BUSINESS DISTRICT

(a) Main Buildings and Uses.

- (1) Single, two and multi-family residential uses above the first floor.
- (2) All stores and services permitted in the General Business District;

Signature of Property Owner Date

APPLICATION #BZA-001

Signature of Authorized Agent

Date

3/16/22
UPDATED 12/2/2019

UNNECESSARY HARDSHIP

(ONLY for variance requests involving a use of the property that is not permitted by the Zoning Code)

According to Chapter 1111.06(c)(2) of the Sandusky Code of Ordinances, the Board of Zoning Appeals must determine that an "unnecessary hardship" exists in order to approve a use variance. The Board must determine that ALL of the following conditions have been met. Please completely fill out all sections:

- 1) Does the variance request arises from such a condition which is unique and which is not ordinarily found in the same zoning district; and is created by the Zoning Code and not be an action or actions of the property owner or the applicant?

Yes. The facade of the building does not lend itself to typical retail use.

- 2) Would the granting of the variance will adversely affect the rights of the adjacent property owners or residents?

The variance would cause no harm to adjacent owners and could result in fewer business-related disturbances for adjacent residents

- 3) Does the strict application of the Zoning Code of which the variance is requested constitute unnecessary hardship upon the property owner or the applicant?

Yes. The unique situation presents challenges in marketing the property.

- 4) That the variance desired will not adversely affect the public health, safety, morals or general welfare.
The variance will have no affect the public health, safety, morals or general welfare.

- 5) That the granting of the variance desired will not be opposed to the general spirit and intent of the Zoning Ordinance

The variance desired will is consistent with the general spirit and intent of the Zoning Ordinance

PRACTICAL DIFFICULTIES

(For ALL variance requests)

According to Chapter 1111.06(c)(1) of the Sandusky Code of Ordinances, the Board of Zoning Appeals must determine that a "practical difficulty" exists in order to approve a variance. The Board must consider the following factors. Please completely fill out all sections:

- 1) Would the variance be substantial?
No. The requested use for the ground floor is already permitted in the majority of the building.
- 2) Would the variance substantially alter the character of the neighborhood or would adjoining property owners suffer a substantial detriment because of the variance?
No. The ground floor of the adjoining building to the East is also residential.
- 3) Would the variance adversely affect the delivery of government services (e.g. water, sewer, fire, police)?
No.
- 4) Was the property purchased with the knowledge of the zoning restrictions?
The LLC members' residency began before the Downtown Business zone was enacted.
- 5) Can the property owner's predicament be resolved through some method other than a variance?
The applicant has been advised that a variance is the correct way to achieve the needed result.
- 6) Would the spirit and intent behind the zoning requirement would be observed and substantial justice done by the granting of the variance?
Yes.
- 7) Would the property yield a reasonable return or can there be a beneficial use of the property without a variance?
No. There is no assurance that market returns would be achieved with the variance but the possibility would be improved.
- 8) Would the granting of the variance be contrary to the general purpose, intent and objective of the Zoning Code or other adopted plans of the City?
No. Encouraging residential use is consistent with downtown revitalization strategies, and the desire to increase City population overall.

BOARD OF ZONING APPEALS REPORT

APPLICATION FOR AN AREA VARIANCE OF USE
REGULATIONS RESTRICTING A SHED IN A FRONT
YARD AT 3708 VENICE RD. PARCEL
(60-00201.000)

Reference Number: PVAR21-0004

Date of Report: December 7, 2021

Report Author: Alec Ochs, Assistant Planner



City of Sandusky, Ohio

Board of Zoning Appeals Report

BACKGROUND INFORMATION

Applicant/Owner: Victoria L. Taylor
3708 Venice Rd.
Sandusky, OH 44870

Authorized Agent: n/a

Site Location: 3708 Venice Rd.
Sandusky, OH 44870

Zoning: GM – General Manufacturing

Surrounding Zoning:

North: LM – Local Manufacturing
East: GM – General Manufacturing
South: GM – General Manufacturing
West: GM – General Manufacturing

Surrounding Uses: Residential, Business

Existing Use: Residential

Proposed Use: Residential

Applicable Plans & Regulations: City of Sandusky Zoning Code Sections 1133.08(a)(1)

Variance Requested: 1) A variance to allow a shed in the front yard

SITE DESCRIPTION

Subject Property Outlined in Red



Zone Map Setbacks



PUD - Planned Unit Development



Parcels



TRO - Transient Rental Overlay



Zoning

- AG - Agriculture
- CA - Commercial Amusement
- CR - Commercial Recreation
- CS - Commercial Service
- DBD - Downtown Business
- GB - General Business
- GM - General MANufacturing
- LB - Local Business
- LM - Local Manufacturing
- P - Auto Parking

- PF - Public Facilities
- R1-40 - Single Family Residential
- R1-50 - Single Family Residential
- R1-60 - Single Family Residential
- R1-75 - Single Family Residential
- R2F Two-Family Residential
- RB - Roadside Business
- RMF - Multi-Family Residential
- RRB - Residential/Business
- RS - Residential Suburban





PROJECT DESCRIPTION

The applicant proposes to place a 10' x 20' and roughly 12' 8" inch high shed in the front yard of their property. The proposed shed is roughly 10' from the house, 3' 6" from the side property line, and roughly 20' from the front property line.

PLANNING DIVISION COMMENTS

Staff has observed that the property has a significant front setback of 50 feet. The code requires residential uses in a manufacturing district follow the area and setback guidelines of R1-40 Single Family Residential. The required setback distance for this district is 25 feet. This significant setback has created a small backyard for the applicant and is causing space constraints.

The zoning code requires that residential backyards cannot surpass 30% coverage by accessory structures, including sheds. After aerial analysis, staff believes this threshold has been met, if not surpassed. The applicant has stated her backyard is small and already full of structures. They chose the front yard to allow adequate space for its use and placement.



RELEVANT CODE SECTIONS

CHAPTER.1139 Manufacturing Districts

1139.04 CONDITIONAL USE PERMIT.

(a) Existing dwellings and accessory buildings in a manufacturing district may be expanded or improved by a conditional use permit, providing the dwellings and accessory buildings, when expanded or improved, are of the type permitted and as regulated in the least restrictive contiguous district, and otherwise comply with the terms and provisions of this Zoning Code.

(b) New dwellings and accessory buildings may be constructed on a vacant lot in a manufacturing district by a conditional use permit, providing the dwelling and accessory buildings are of the type permitted and as regulated in a Residential One-Family-40 District, including area and yard requirements, otherwise comply with the terms and provisions of this Zoning Code, and provided further that the lot for which a conditional use permit is sought is not further than one zoning lot away from a lot being devoted to residential use, or more than 50% of the lots on the same side of the street for a distance of 200 feet from it in either direction are devoted to residential use.

(c) In addition to other standards set forth in the Code, it must be also determined that the proposed expansion or improvement to an existing dwelling or accessory building, or the construction of a new dwelling or accessory building, will not unduly interfere with the assembly of land for industrial development.

(1980 Code 151.74)

CHAPTER 1145
Supplemental Area and Height Regulations

1145.15 YARDS FOR ACCESSORY BUILDINGS.

(a) Sheds permitted in a residential district shall not project into a front or side yard; shall be located not less than three feet from a rear or side lot line, except where abutting an alley and shall be located not less than fifteen feet from any dwelling on an adjacent lot.

In addition to the above regulations, accessory buildings not classified as sheds must not cover more than thirty percent (30%) of the rear yard of a lot and shall be located no less than ten feet from the main structure.

(b) On a corner lot, an accessory building shall be set back from the side street line not less than required for the adjacent main building on the butt lot, plus an additional five feet.

(Ord. 05-158. Passed 11-14-05.)

CHAPTER 1111
Board of Zoning Appeals

1111.06 POWERS OF THE BOARD OF ZONING APPEALS.

(1) No variance to the provision or requirements of the Zoning Code shall be granted by the Board unless the Board has determined that a practical difficulty does exist or will result from the literal enforcement of the Zoning Code. The factors to be considered and weighed by the Board in determining whether a property owner has proved practical difficulty include:

Section 1111.06(c)(1)

A. Whether the variance is substantial;

The variance sought in this case would allow for a shed to be placed in a front yard. Given the fact that the shed would be 20' away from the road and also in a manufacturing zoning district, it is not believed to be substantial.

B. Whether the essential character of the neighborhood would be substantially altered or whether adjoining property would suffer a substantial detriment as a result of the variance;

It would not appear that the shed would drastically alter the character of the neighborhood as it is surrounded by commercial and manufacturing uses.

- C. Whether the variance would adversely affect the delivery of government services (i.e. water, sewer, garbage, fire, police or other);**

The proposed variance would not affect the delivery of government services, as the proposed residential use would not impact a right-of-way, utility line or block access for emergency vehicles.

- D. Whether the property owner purchased the property with the knowledge of the zoning restriction;**

The applicant told staff that they were not aware of the zoning restriction.

- E. Whether the property owner's predicament can be resolved through some method other than a variance;**

No, the applicant would not be able to put the shed in the backyard as it is proposed.

- F. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by the granting of the variance;**

It is the opinion of the Planning staff that the residential use would be in keeping with the spirit and intent of the Zoning Code as many of the surrounding properties on this block are commercial or manufacturing uses.

- G. Whether the property will yield a reasonable return or whether there can be a beneficial use of the property without a variance**

No, there is not a large enough back yard to use it for this request.

- H. Whether the granting of the variance will be contrary to the general purpose, intent and objective of the Zoning Code or other adopted plans of the City.**

It does not appear that the proposed use would be contrary to the general purpose, intent or objectives of the Zoning Code or the Comprehensive Plan.

Other conditions that the Zoning Board of Appeals must determine have been met include the following:

Section 1111.06(c)(2):

- A. That the variance requested arises from such a condition which is unique and which is not ordinarily found in the same zoning district and is created by the Zoning Code and not by an action or actions of the property owner or the applicant;**

The structure on the subject property has a significantly larger front yard than backyard, causing shed placement restraints.

- B. That the granting of the variance will not adversely affect the rights of the adjacent property owners or residents;**

No, the shed would be significantly set back from the front property line.

- C. That the strict application of the Zoning Code of which the variance requested will constitute unnecessary hardship upon the property owner or the applicant;**

Staff does believe that strict application of the code would create unnecessary hardships for the applicant. Adhering to the current code would significantly restrict the amount of space usable for accessory structures.

That the variance desired will not adversely affect the public health, safety, morals or general welfare; and

The proposed variance would not appear to adversely affect the public health, safety, morals or general welfare of the neighborhood.

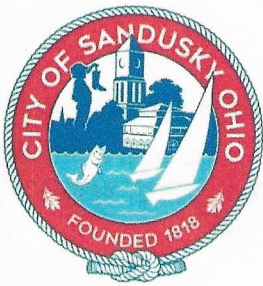
- D. That the granting of the variance desired will not be opposed to the general spirit and intent of the Zoning Ordinance.**

It does not appear that the residential use would be contrary to the general spirit, intent or objectives of the Zoning Code or the Comprehensive Plan.

CONCLUSION/RECOMMENDATION

Given the unique circumstances of this property, Planning staff does not oppose the requested variance at 3708 Venice Rd. (parcel 60-00201.000) and suggests the following conditions upon approval:

1. All necessary permits are obtained through the Building, Engineering, and Planning departments – including a transient occupancy permit.



BOARD of ZONING APPEALS

Application for a Zoning Variance

Department of Planning
240 Columbus Ave
Sandusky, Ohio 44870
419.627.5891
www.cityofsandusky.com

Instructions to Applicants

MEETINGS: 3rd Thursday of each month at 4:30 P.M.* – City Commission Chamber, First Floor of City Hall.

**Meeting dates are subject to change. Please check www.cityofsandusky.com/BZA for an updated schedule.*

DUE DATE FOR SUBMITTALS: Applications are due by 5:00 P.M. on the date of the preceding month's Board of Zoning Appeals meeting.

WHO MUST ATTEND: The property owner, or the authorized agent of the owner, must be present at the BZA meeting for all variance requests.

APPLICATION FEE: \$100

SUBMISSION REQUIREMENTS: Please provide either a hard copy or electronic copy of the following:

- 1) Completed application
- 2) Copy of a site plan (drawn to scale and dimensioned) which shows the following items (as applicable):
 - a) Property boundary lines
 - b) Building(s) location
 - c) Driveway and parking area locations
 - d) Location of fences, walls, retaining walls
 - e) Proposed development (additions, fences, buildings, etc.)
 - f) Elevation drawings for height variances
 - g) Setbacks from lot lines for existing & proposed construction
 - h) Location of other pertinent items (signs, outdoor storage areas, gasoline pump islands, etc.)

Please note that the granting of a variance is not a Building Permit. A separate Building Permit must be issued prior to all construction.

Submit application and materials to:

City of Sandusky
Department of Planning
240 Columbus Ave.
Sandusky, OH 44870

Contact Thomas Horsman, Assistant Planner, at 419-627-5715 or thorsman@ci.sandusky.oh.us with any questions

Application for Board of Zoning Appeals

STAFF USE ONLY:

Filing Date: _____ Hearing Date: _____ Reference Number: _____

Address of Property (or parcel number) for Variance Request: 3708 Venice Rd Sandusky, Oh.

Name of Property Owner: Victoria L. (Madden) Taylor

Mailing Address of Property Owner: 3708 Venice Rd BPIA

City: Sandusky State: oh Zip: 44870

Telephone #: 419-627-8002 Email: Sept2702@aol.com

If same as above check here ☒

Name of Applicant: _____

Mailing Address of Applicant: _____

City: _____ State: _____ Zip: _____

Telephone #: _____ Email: _____

Description of Proposal: 10x20 shed 12.8 high portable sitting
concrete slabs.

Variance Requested: Area Variance

Section(s) of Zoning Code:

1. 1139.04 (b)

2. 1145.15

Victoria L. Taylor
Signature of Property Owner

3.11.22
Date

Signature of Authorized Agent

Date

APPLICATION #BZA-001

UNNECESSARY HARDSHIP

(ONLY for variance requests involving a use of the property that is not permitted by the Zoning Code)

According to Chapter 1111.06(c)(2) of the Sandusky Code of Ordinances, the Board of Zoning Appeals must determine that an "unnecessary hardship" exists in order to approve a use variance. The Board must determine that ALL of the following conditions have been met. Please completely fill out all sections:

- 1) Does the variance request arises from such a condition which is unique and which is not ordinarily found in the same zoning district; and is created by the Zoning Code and not be an action or actions of the property owner or the applicant?

back yard is small and crowded
and have more room up front. no room side yard.

- 2) Would the granting of the variance will adversely affect the rights of the adjacent property owners or residents?

No - on one side is a gravel lot. other side is
is a set back and away from shed sight.

- 3) Does the strict application of the Zoning Code of which the variance is requested constitute unnecessary hardship upon the property owner or the applicant?

yes because of
yard space.

- 4) That the variance desired will not adversely affect the public health, safety, morals or general welfare.

NO

- 5) That the granting of the variance desired will not be opposed to the general spirit and intent of the Zoning Ordinance

No

PRACTICAL DIFFICULTIES

(For ALL variance requests)

According to Chapter 1111.06(c)(1) of the Sandusky Code of Ordinances, the Board of Zoning Appeals must determine that a "practical difficulty" exists in order to approve a variance. The Board must consider the following factors. Please completely fill out all sections:

- 1) Would the variance be substantial? *NO - size of shed is small in size and below standards.*
- 2) Would the variance substantially alter the character of the neighborhood or would adjoining property owners suffer a substantial detriment because of the variance? *No.*
- 3) Would the variance adversely affect the delivery of government services (e.g. water, sewer, fire, police)? *No.*
- 4) Was the property purchased with the knowledge of the zoning restrictions? *No.*
- 5) Can the property owner's predicament be resolved through some method other than a variance? *No*
- 6) Would the spirit and intent behind the zoning requirement would be observed and substantial justice done by the granting of the variance? *Yes*
- 7) Would the property yield a reasonable return or can there be a beneficial use of the property without a variance? *NO - ~~we~~ We really need storage room and we have no room on the side yard or in back yard.*
- 8) Would the granting of the variance be contrary to the general purpose, intent and objective of the Zoning Code or other adopted plans of the City? *No*